REMARKS

Responsive to the Office Action mailed February 14, 2006, Applicants provide the following. The claims have not been amended and therefore, twenty-four (24) claims remain pending in the application: claims 1-24. Reconsideration of claims 1-24 in view of the remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Double Patenting

Claims 1-24 have been rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,769,130 (Getsin et al., referred to below as the '130 patent) in view of U.S. Patent No. 5,978,835 (Ludwig et al.); and over claims 1-18 of U.S. Patent No. 6,941,383 (Getsin et al., referred to below as the '383 patent) in view of the Ludwig patent.

Claims 1-24 have further been provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent Application Serial No. 10/880,272 (Getsin et al., referred to below as the '272 application) in view of the Ludwig patent.

Applicants respectfully traverse these rejections. Claim 1, for example, recites in part "providing an event stored in memory on at least one of the client apparatuses ... and allowing the content and timing information to be downloaded utilizing the network for playback of said event and said downloaded content and timing information after the simultaneous playback." The Ludwig patent does not describe recording content and timing information to be downloaded for playback with an event stored in memory on a client apparatus. Instead, Ludwig specifically requires all content from all parties, and all the recorded content be played back.

Ludwig does not describe downloading content and timing information for playback with a locally stored event. Specifically, the Ludwig patent recites:

> recording (storage) capabilities are preferably provided for audio and video of all parties, and also for all shared windows, including any telepointing and annotations provided during the teleconference. Using the multimedia synchronization facilities described above, these capabilities are provided in a way such that they can be replayed with accurate correspondence in time to the recorded audio and video, such as by synchronizing to frame numbers or time code events (Ludwig, col. 33, lines 45-40, emphasis added).

The Ludwig patent requires that all content (i.e., audio and video, shared windows, telepointing and annotations) be recorded for later playback. Ludwig does not describe or suggest at least the recording of content and timing and allowing the downloading of content and timing information to be playback with locally stored event on the client apparatus as recited in claim 1. Therefore, Applicants respectfully request that the double patenting rejections and provisional double patenting rejections be withdrawn.

Claim Rejections - 35 U.S.C. 103

1. Claims 1-24 stand rejected under 35 U.S.C. 103(a), as being unpatentable over U.S. Patent No. 6,161,132 (Roberts et al.) in view of the Ludwig patent. Applicants respectfully traverse these rejections in that the combination of the Roberts and Ludwig patents fails to describe every element of claims 1-24.

Claim 1, for example, as described above recites in part "providing an event stored in memory on at least one of the client apparatuses ... and allowing the content and timing information to be downloaded utilizing the network for playback of said event and said downloaded content and timing information after the simultaneous playback." The office action states that the Roberts patent does not disclose "storing content and timing information transmitting during the simultaneous layback ... and allowing the content and timing information to be downloaded ... for playback of said event and said downloaded content and timing information..." (office action, page 6), and relies on the Ludwig patent citing column 33, lines

45-50. Ludwig at column 33, lines 45-50, however, as demonstrated above requires that all content (i.e., audio and video, shared windows, telepointing and annotations) be recorded for later playback. Ludwig does not describe or suggest at least the recording of content and timing and allowing the downloading of the recorded content and timing information for playback with the locally stored event. Instead, Ludwig teaches away from storing content and timing information for playback with locally stored event because Ludwig is specifically directed to real time conference calls and not a locally stored event. As such, Ludwig requires the recording of all real time audio and video from all parties along with all shared windows to allow for later playback. Even if one were to try and combined Ludwig with Roberts, at best would be the recording of all the audio and chat content of Roberts for later playback and would not reference any locally stored content as all content would be recorded and would have no reason to reference local content. Ludwig does not describe or suggest the playing back with locally stored content and instead teaches away from playing back with locally stored content because Ludwig requires the recording of all content. Therefore, the combination of Roberts and Ludwig fails to describe every element of at least claim 1.

Section 2143.03 of the M.P.E.P. states that in order "[t]o establish a *prima facie* case of obviousness of a claimed invention, all of the claimed limitations must be taught or suggested by the prior art." Therefore, a *prima facie* case of obviousness is not met by the combination of the Roberts and Ludwig patents as the combination does not teach or suggest all of the limitations of at least claim 1 (MPEP § 2143.03). Thus, Applicants respectfully request the rejection be withdrawn.

Independent claims 7, 13 and 19 include similar claim languages as that of claim 1 regarding the allowing of content and timing information to be downloaded and played back with the event at the client apparatus. Therefore, at least claims 7, 13 and 19 are also not obvious in view of the Roberts and Ludwig combination, and Applicants respectfully request the rejection be withdrawn.

Claims 2-6, 8-12, 14-18 and 20-24 depend from claims 1, 7, 13 and 19, respectively. Therefore, claims 2-6, 8-12, 14-18 and 20-24 are also not obvious in view of the combination of references due at least to their dependency on allowable claims.

CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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